

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 5421
John Kerry for President, Inc. and Robert)
Farmer, in his official capacity as)
treasurer; Teresa F. Heinz Kerry; Mellon)
Trust of New England, N.A.)

CERTIFICATION

I, Darlene Harris, recording secretary of the Federal Election Commission
executive session, do hereby certify that on June 21, 2005, the Commission took
the following actions in the above-captioned matter:

1. Failed by a vote of 1-4 to pass a motion to:
 - a) Find reason to believe that John Kerry for President, Inc.
and Robert Farmer, in his official capacity as treasurer,
violated 2 U.S.C. §§ 441a(f), 441b, and 434(b) and 11
CFR § 104.3(d)(4).
 - b) Take no action at this time regarding Teresa Heinz Kerry.
 - c) Find reason to believe that Mellon Trust of New England,
N.A. violated 2 U.S.C. § 441b.
 - d) Direct the Office of General Counsel to revise the Factual
and Legal Analyses pursuant to the meeting discussion
and re-circulate for Commission approval on a tally vote
basis.
 - e)
 - f) Approve the appropriate letters.

Commissioner Weintraub voted affirmatively for the motion. Commissioners Mason,
Smith, Thomas, and Toner dissented. Commissioner McDonald did not vote.

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2. Decided by a vote of 4-1 to:

a) Find reason to believe that John Kerry for President, Inc. and Robert Farmer, in his official capacity as treasurer, violated 2 U.S.C. §§ 441a(f), 441b, and 434(b) and 11 CFR § 104.3(d)(4).

b) Find reason to believe that Teresa Heinz Kerry violated 2 U.S.C. § 441a(a)(1)(A).

c) Find reason to believe that Mellon Trust of New England, N.A. violated 2 U.S.C. § 441b.

d) Direct the Office of General Counsel to revise the Factual and Legal Analyses pursuant to the meeting discussion and re-circulate for Commission approval on a tally vote basis.

e)

f) Approve the appropriate letters.

Commissioners Mason, Smith, Thomas, and Weintraub voted affirmatively for the decision. Commissioner Toner dissented. Commissioner McDonald did not vote.

Attest:

June 22, 2005
Date

Darlene Harris
Darlene Harris
Deputy Secretary of the Commission

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